

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

ANDRES SILVA (13)

No. 4:15-CR-153-O

FACTUAL RESUME

INDICTMENT: Count One: Conspiracy to Possess with Intent to Distribute a Controlled Substance (methamphetamine) (in violation of 21 U.S.C. § 846, and 21 U.S.C. §§ 841(a)(1) and (b)(1)(B))

PENALTY: \$5,000,000 fine - not less than 5 years imprisonment and not more than 40 years imprisonment, or both such fine and imprisonment, plus a term of supervised release of not less than 4 years.

MAXIMUM PENALTY:

\$5,000,000 fine and not less than five (5) years nor more than forty (40) years imprisonment, plus a term of supervised release of not less than 4 years. If the defendant violates any condition of supervised release, the Court may revoke such term of supervised release and require the defendant to serve an additional period of confinement. Further the Court must impose a Mandatory Special Assessment of \$100.00.

ELEMENTS OF THE OFFENSE:

The essential elements which must be proved beyond a reasonable doubt in order to establish the offenses charged in Count One of the Indictment are as follows:

First: That two or more persons, directly or indirectly, reached an agreement to distribute or possess with intent to distribute a controlled substance, as charged in the indictment;

Second: That the defendant knew of the unlawful purpose of the agreement;


Third: That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose; and

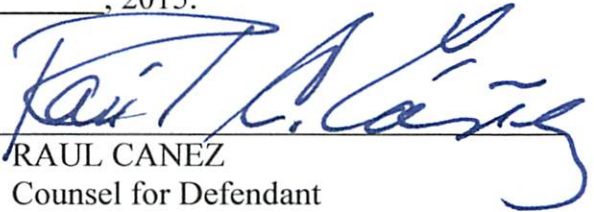
Fourth: That the overall scope of the conspiracy involved at least 50 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

STIPULATED FACTS:

Since approximately 2013, Erica Ayala received ounce and multi-ounce quantities of methamphetamine on consignment from Steven Villegas and Andres Silva. In turn, Erica Ayala distributed methamphetamine to various customers, in the Fort Worth and North Richland Hills, Texas areas, returning to Steven Villegas and Andres Silva for additional methamphetamine. In this manner, Andres Silva, Steven Villegas, and Erica Ayala conspired with each other and others to possess with intent to distribute more than 50 grams of methamphetamine.

SIGNED this 9 day of July, 2015.

  
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ANDRES SILVA  
Defendant

  
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RAUL CANEZ  
Counsel for Defendant